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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JEAN MILLER,

Plaintiff,

v.

ALLAN R. GRIFFITH, et al.,

Defendants.

2:10-CV-1994 JCM (PAL)

ORDER

Presently before the court is defendants R.K. Arnold's, Richard Etter's, Allan Griffith's and James Taylor's motion to dismiss for lack of jurisdiction. (Doc. #42). Also before the court is defendant Lynn Donner's motion to dismiss (doc. #45) and defendant Glenn Stearns' motion to dismiss (doc. #47). To date, the plaintiff has not filed a response to any of the three motions.

Pursuant to Local Rule 7-2(b), an opposing party's failure to file a timely response to any motion constitutes the party's consent to the granting of the motion and is proper grounds for dismissal. *U.S. v. Warren*, 601 F.2d 471, 474 (9th Cir. 1979). However, prior to dismissal, the district court is required to weigh several factors: "(1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases of their merits; and (5) the availability of less drastic sanctions." *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995).

In light of the plaintiff's failure to respond and weighing the factors identified in *Ghazali*, the court finds dismissal appropriate.

1 Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendants R.K. Arnold's,
3 Richard Etter's, Allan Griffith's and James Taylor's motion to dismiss for lack of jurisdiction (doc.
4 #42) is GRANTED;

5 IT IS FURTHER ORDERED that defendant Lynn Donner's motion to dismiss (doc. #45) is
6 hereby GRANTED;

7 IT IS FURTHER ORDERED that defendant Glenn Stearns' motion to dismiss (doc. #47) is
8 hereby GRANTED

9 DATED April 27, 2011.

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12 UNITED STATES DISTRICT JUDGE